

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 5/21/2025
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HILARY BEST,	:	
	:	
Plaintiff,	:	1:21-cv-779-GHW
	:	
-v-	:	<u>ORDER</u>
	:	
JAMES MERCHANT, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	
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GREGORY H. WOODS, United States District Judge:		

During the conference held on the record on May 21, 2025, the Court granted Defendants leave to file their proposed motion for summary judgment. Defendants' motion, with the necessary accompanying submissions, is due no later than August 8, 2025. Plaintiff's opposition, with the necessary accompanying submissions, is due no later than five weeks following the date of service of Defendants' motion. Defendants' reply, if any, is due three weeks following the date of service of Plaintiff's opposition. As emphasized during the conference, failure by Plaintiff to timely file opposition papers will result in the Court ruling on Defendants' motion as unopposed.


Further, for the reasons stated on the record during the May 21, 2025 conference, Plaintiff's motion for an additional extension of fact discovery and Plaintiff's motion for reconsideration of the Court's previous decision to deny additional document discovery are both denied. As discussed during the conference, if Plaintiff wishes to make an application for reconsideration with evidence that he was incapacitated between April 19, 2025 and March 30, 2025, such an application is due no later than Friday, May 23, 2025.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444–45 (1962). Defendants are directed to serve a copy of

this order on Plaintiff and to retain proof of service. The Clerk of Court is directed to mail a copy of this order to Plaintiff by certified mail.

SO ORDERED.

Dated: May 21, 2025  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge